

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing PCB: Transportation & Highway
 2 Safety Subcommittee
 3 Representative Raburn offered the following:

Amendment (with title amendment)

6 Between lines 374 and 375, insert:

7 Section 6. Section 316.646, Florida Statutes, is amended
 8 to read:

9 316.646 Security required; proof of security and display
 10 thereof; dismissal of cases.-

11 (1) Any person required by s. 324.022 to maintain property
 12 damage liability security, required by s. 324.023 to maintain
 13 liability security for bodily injury or death, or required by s.
 14 627.733 to maintain personal injury protection security on a
 15 motor vehicle shall have in his or her immediate possession at
 16 all times while operating such motor vehicle proper proof of
 17 maintenance of the required security. Such proof shall be a
 18 uniform proof-of-insurance card, in a paper or electronic
 19 format, and in a form prescribed by the department, a valid

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20 insurance policy, an insurance policy binder, a certificate of
21 insurance, or such other proof as may be prescribed by the
22 department. If a person presents to a law enforcement officer an
23 electronic device displaying a proof-of-insurance card in an
24 electronic format, such person:

25 a. is not consenting to access to any information on the
26 electronic device other than the displayed proof-of-insurance
27 card, and

28 b. assumes liability for any damage to the electronic
29 device.

30 (2) If, upon a comparison of the vehicle registration
31 certificate or other evidence of registration or ownership with
32 the operator's driver's license or other evidence of personal
33 identity, it appears to a law enforcement officer or other
34 person authorized to issue traffic citations that the operator
35 is also the owner or registrant of the vehicle, upon demand of
36 the law enforcement officer or other person authorized to issue
37 traffic citations the operator shall display proper proof of
38 maintenance of security as specified by subsection (1).

39 (3) Any person who violates this section commits a
40 nonmoving traffic infraction subject to the penalty provided in
41 chapter 318 and shall be required to furnish proof of security
42 as provided in this section. If any person charged with a
43 violation of this section fails to furnish proof at or before
44 the scheduled court appearance date that security was in effect
45 at the time of the violation, the court shall, upon conviction,
46 notify the department to suspend the registration and driver's
47 license of such person. If the court fails to order the

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48 suspension of the person's registration and driver's license for
49 a conviction of this section at the time of sentencing, the
50 department shall, upon receiving notice of the conviction from
51 the court, suspend the person's registration and driver's
52 license for the violation of this section. Such license and
53 registration may be reinstated only as provided in s. 324.0221.

54 (4) Any person presenting proof of insurance as required
55 in subsection (1) who knows that the insurance as represented by
56 such proof of insurance is not currently in force is guilty of a
57 misdemeanor of the first degree, punishable as provided in s.
58 775.082 or s. 775.083.

59 (5) The department is authorized to make rules for the
60 implementation of this section.

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62 Remove lines 860-890 and insert:

63 Section 14. Paragraph (a) of subsection (2) and paragraph
64 (a) of subsection (5) of section 320.02, Florida Statutes, is
65 amended to read:

66 320.02 Registration required; application for
67 registration; forms.—

68 (2)(a) The application for registration shall include the
69 street address of the owner's permanent residence or the address
70 of his or her permanent place of business and shall be
71 accompanied by personal or business identification information.
72 An individual applicant must provide ~~which may include, but need~~
73 ~~not be limited to,~~ a valid driver license or ~~number,~~ Florida
74 identification card issued by this state or another state or a
75 valid passport. A business applicant must provide a ~~number, or~~

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76 federal employer identification number, if applicable, or
77 verification that the business is authorized to conduct business
78 in the state, or a Florida city or county business license or
79 number.

80 1. If the owner does not have a permanent residence or
81 permanent place of business or if the owner's permanent
82 residence or permanent place of business cannot be identified by
83 a street address, the application shall include:

84 a1. If the vehicle is registered to a business, the name
85 and street address of the permanent residence of an owner of the
86 business, an officer of the corporation, or an employee who is
87 in a supervisory position.

88 b2. If the vehicle is registered to an individual, the
89 name and street address of the permanent residence of a close
90 relative or friend who is a resident of this state.

91 2. If the vehicle is registered to an active duty member
92 of the Armed Forces of the United States who is a Florida
93 resident, the active duty member is exempt from the requirement
94 to provide the street address of a permanent residence.

95 (5) (a) Proof that personal injury protection benefits have
96 been purchased when required under s. 627.733, that property
97 damage liability coverage has been purchased as required under
98 s. 324.022, that bodily injury or death coverage has been
99 purchased if required under s. 324.023, and that combined bodily
100 liability insurance and property damage liability insurance have
101 been purchased when required under s. 627.7415 shall be provided
102 in the manner prescribed by law by the applicant at the time of
103 application for registration of any motor vehicle that is

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104 subject to such requirements. The issuing agent shall refuse to
105 issue registration if such proof of purchase is not provided.
106 Insurers shall furnish uniform proof-of-purchase cards, in a
107 paper or electronic format, and in a form prescribed by the
108 department and shall include the name of the insured's insurance
109 company, the coverage identification number, and the make, year,
110 and vehicle identification number of the vehicle insured. The
111 card shall contain a statement notifying the applicant of the
112 penalty specified in s. 316.646(4). The card or insurance
113 policy, insurance policy binder, or certificate of insurance or
114 a photocopy of any of these; an affidavit containing the name of
115 the insured's insurance company, the insured's policy number,
116 and the make and year of the vehicle insured; or such other
117 proof as may be prescribed by the department shall constitute
118 sufficient proof of purchase. If an affidavit is provided as
119 proof, it shall be in substantially the following form:

120 Under penalty of perjury, I ...(Name of insured)... do hereby
121 certify that I have ...(Personal Injury Protection, Property
122 Damage Liability, and, when required, Bodily Injury
123 Liability)... Insurance currently in effect with ...(Name of
124 insurance company)... under ...(policy number)... covering
125 ...(make, year, and vehicle identification number of
126 vehicle).... ...(Signature of Insured)...

127 Such affidavit shall include the following warning:

128 WARNING: GIVING FALSE INFORMATION IN ORDER TO OBTAIN A VEHICLE
129 REGISTRATION CERTIFICATE IS A CRIMINAL OFFENSE UNDER FLORIDA

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130 LAW. ANYONE GIVING FALSE INFORMATION ON THIS AFFIDAVIT IS
131 SUBJECT TO PROSECUTION.

132 When an application is made through a licensed motor vehicle
133 dealer as required in s. 319.23, the original or a photostatic
134 copy of such card, insurance policy, insurance policy binder, or
135 certificate of insurance or the original affidavit from the
136 insured shall be forwarded by the dealer to the tax collector of
137 the county or the Department of Highway Safety and Motor
138 Vehicles for processing. By executing the aforesaid affidavit,
139 no licensed motor vehicle dealer will be liable in damages for
140 any inadequacy, insufficiency, or falsification of any statement
141 contained therein. A card shall also indicate the existence of
142 any bodily injury liability insurance voluntarily purchased.

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T I T L E A M E N D M E N T

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Remove line 23 and insert:

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not properly licensed and registered; amending s. 316.646, F.S.,

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authorizing electronic proof of insurance; amending s.

152

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Remove lines 55-57 and insert:

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"apportionable motor vehicle"; amending s. 320.02, F.S.;

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revising requirements for application for motor vehicle

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156 registration; allowing electronic proof of insurance; amending

157 s. 320.03, F.S.;

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